

EXHIBIT (A)

**FEDERAL PUBLIC DEFENDER
DISTRICT OF SOUTH CAROLINA**

Parks N. Small
Federal Public Defender

BB&T Bank Building
1901 Assembly Street, Suite 200
Columbia, S.C. 29201
Tel: (803) 765-5070
Fax: (803) 765-5084

145 King Street, Suite 325
P.O. Box 876
Charleston, S.C. 29402
Tel: (843) 727-4148
Fax: (843) 727-4179

501 McBee Building, Suite 202
501 East McBee Avenue
Greenville, S.C. 29601
Tel: (864) 235-8714
Fax: (864) 233-0188

McMillan Federal Building
401 West Evans Street, Suite 221
P.O. Box 1873
Florence, S.C. 29503-1873
Tel: (843) 662-1510
Fax: (843) 667-1355

Reply to: Columbia

August 2, 2010

Attorney-Client Correspondence

**Open only in the presence of
the inmate. Special Mail.**

Mr. Zhivago Robinson
Reg. No. 16517-171
c/o FCI Beaumont Medium
P.O. Box 26040
Beaumont, TX 77720

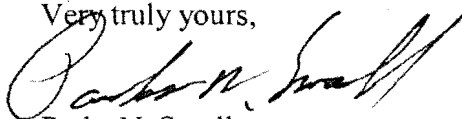
Re: United States v. Zhivago Robinson
Cr. No. 0:08-401; Appeal Number: 09-4425

Dear Mr. Robinson:

In light of Mr. Long's medical absence from the office, I will answer your inquiry about your prior conviction of record that you sent me. If I read your letter correctly, you are under the impression that the 2000 conviction for possession of crack should not count as a career offender case under §4B1.1 of the sentencing guidelines. The case docket number is GS-46-1701, York County, South Carolina. The docket you sent me shows you did plea guilty to a lesser offense, possession of crack cocaine, not possession with intent which was the charge in the indictment. However, that is not the conviction which causes you to qualify as a career offender. That case is GS-46-1700, from York County and charges Distribution of Crack Cocaine within Proximity of a Park. The presentence record shows you pled guilty to that charge, and it was run concurrent with your plea in GS-46-1701.

You may have been confused and thought you only pled to one charge, but the distribution charge would qualify under the guidelines as a "controlled substance offense" for purposes of career offender. I hope this helps. Please do not hesitate to write if you have any further questions.

Very truly yours,



Parks N. Small
Federal Public Defender

PNS:kse